

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BOSTON SCIENTIFIC CORPORATION and
BOSTON SCIENTIFIC SCIMED, INC.,

Plaintiffs,

V.

JOHNSON & JOHNSON, INC. and
CORDIS CORPORATION,

Defendants.

C.A. No. 07-333-SLR

C.A. No. 07-348-SLR

C.A. No. 07-409-SLR

BOSTON SCIENTIFIC CORPORATION and
BOSTON SCIENTIFIC SCIMED, INC.,

Plaintiffs,

V.

JOHNSON & JOHNSON, INC.,
CORDIS CORPORATION, and WYETH,

Defendants.

C.A. No. 07-765-SLR

**BSC’S MOTION FOR SUMMARY JUDGMENT
OF INVALIDITY OF U.S PATENT NOS. 7,217,286, 7,223,286, 7,229,473, AND 7,300,662
UNDER 35 U.S.C. § 112**

Plaintiffs Boston Scientific Corporation and Boston Scientific Scimed, Inc. (collectively, “BSC”), respectfully move the Court, pursuant to Fed. R. Civ. P. 56, for summary judgment of invalidity of U.S. Patent Nos. 7,217,286, 7,223,286, 7,229,473, and 7,300,662 (collectively, “Asserted Patents”) under 35 U.S.C. § 112. As set forth in the accompanying opening brief and supporting appendix, BSC asserts the Asserted Patents are invalid based on violation of the enablement, written description, and definiteness requirements of 35 U.S.C. § 112.

September 16, 2009

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CERTIFICATE OF SERVICE

I, Karen L. Pascale, Esquire, hereby certify that on September 16, 2009, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on September 16, 2009, I caused a copy of the foregoing document to be served by e-mail on the above-listed counsel and on the following non-registered participants in the manner indicated:

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